



*Village of Wellington*

# **REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL**

**Darell Bowen, Mayor  
Dr. Carmine A. Priore, Vice Mayor  
Lizbeth Benacquisto, Councilwoman  
Matt Willhite, Councilman**

**Wellington Community Center  
12165 West Forest Hill Boulevard  
Wellington, Florida**

**TUESDAY, JANUARY 13, 2009  
7:00 PM  
SHELL**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. INVOCATION**

Rev. Cathy Exley, Trinity Church International West, Wellington

**4. APPROVAL OF AGENDA**

**5. CONSENT AGENDA**

**A. MINUTES OF THE NOVEMBER 25, 2008 AND DECEMBER 9, 2008 REGULAR  
VILLAGE COUNCIL MEETINGS**

Review and approval of the Minutes of the November 25, 2008 and December 9, 2008 Regular Village Council Meetings

**B. PROPOSAL TO PROVIDE OFFICE SPACE FOR CONGRESSMAN ELECT  
ROONEY**

On December 17, 2008 Council met with Congressman Elect Tom Rooney.

**C. RESOLUTION R2009-04 (APPROVAL OF GRANT AMENDED AGREEMENT BETWEEN VILLAGE OF WELLINGTON AND PALM BEACH COUNTY FOR SIGNAL INSTALLATION AT FOREST HILL BOULEVARD AND QUERCUS LANE)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA APPROVING AND AUTHORIZING THE MAYOR, VILLAGE ATTORNEY AND VILLAGE CLERK TO EXECUTE A GRANT AGREEMENT BETWEEN VILLAGE OF WELLINGTON AND PALM BEACH COUNTY TO PROVIDE FUNDING FOR THE COST OF THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF FOREST HILL BOULEVARD AND QUERCUS LANE IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00)**

Village Council acceptance of Amended Resolution R2008-120 for the Grant Agreement in Palm Beach County in the amount not to exceed \$150,000.00 and approve Budget Amendment No. 2009-002 for \$150,000.00. This funding will be used to piggyback Martin County RFP #2007-2033 awarded to Gerelco Traffic Controls, Inc. for the traffic signal installation at Forest Hill Boulevard and Quercus Lane at a cost of \$250,000.00. CIP carry forward funds in the amount of \$100,000.00 will cover the difference between grant funds and cost of the project.

**D. AWARD BID #004-09/RJB FOR PURCHASE AND DELIVERY OF CONCRETE**

This item is to recommend multiple awards of Bid # 004-09/RJB, "Purchase and Delivery of Concrete" to RMB Concrete and Precast, Inc. as a Primary Supplier and Cemex USA, Inc. as a Secondary Supplier for the purchase and delivery of concrete for various projects for Roads Department. Funds are appropriated in the Roads Department budget for \$50,000.00.

**E. AWARD SEALED BID #003-09/JWV TO MURRAY LOGAN CONSTRUCTION FOR CONSTRUCTION OF SECTION 24 PUMP STATION #9 AND DISCHARGE CONTROL STRUCTURE**

Village Council award of Bid #003-09/JWV to Murray Logan Construction for Construction of Section 24 Pump Station #9 and Discharge Control Structure in the amount of \$2,948,000. Budget Amendment #2008-14 allocated \$21,000,000 to cover total Section 24 project costs, of which construction of Pump Station #9 and Discharge Control Structure is a part. The engineers' (Mock Roos) estimate for the project was \$5,000,000.00.

**F. RESOLUTION R2009-05 (AWARD OF REQUEST FOR PROPOSAL #032-08/JWV TO PUBLIC RESOURCES MANAGEMENT, INC. FOR UTILITY RATE STUDY)**

Village Council approval of award of RFP 032-08/JWV for Utility Rate Study to Public Resources Management Group, Inc. in the amount of \$49,950. The objective of the RFP was to acquire an individual or firm to prepare a water, wastewater, and re-use

rate study to support a revenue program reflecting a rate structure meeting the needs of the Village. Funds budgeted in utility outside services will pay for the study. For FY 2008-09, \$41,500 has been budgeted and \$11,500 will be carried forward from FY 2007-08.

**G. RESOLUTION R2009-01 (LICENSE AGREEMENT WITH WINTER EQUESTRIAN FESTIVAL 2008-2009)**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA APPROVING AND AUTHORIZING THE MAYOR, TO EXECUTE A LICENSE AGREEMENT WITH EQUESTRIAN SPORTS PRODUCTIONS, LLC, FOR TEMPORARY USE OF VILLAGE PROPERTY FOR A PERIOD NOT TO EXCEED SIX MONTHS FOR THE PARKING OF CERTAIN VEHICLES AND TRAILERS ASSOCIATED WITH THE WINTER EQUESTRIAN FESTIVAL; AND PROVIDING AN EFFECTIVE DATE.**

Approve a License Agreement between the Village and Equestrian Sports Production (ESP) for use of Village property located south of Pierson Road and east of 120th Street for temporary parking of semi-trailers and horse trailers associated with participants in the 2008 - 2009 Winter Equestrian Festival.

**H. RESOLUTION 2009-003 (PALM TRAN PARK AND RIDE LOT INTERLOCAL AGREEMENT)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA MODIFYING THE APPROVALS GRANTED BY RESOLUTION 2008-125 AND AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AND ENTER INTO ON BEHALF OF THE VILLAGE OF WELLINGTON AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY PROVIDING FOR FUNDING, DESIGN, CONSTRUCTION AND USAGE OF A PARK AND RIDE LOT ON THE TWO ACRE VILLAGE OWNED CIVIC TRACT LOCATED AT THE WELLINGTON GREEN MALL FOR THE PURPOSE OF ENHANCING AND INCREASING PALM TRAN RIDERSHIP; WITH THE MODIFICATIONS BEING THAT DESIGN AND CONSTRUCTION OF THE PARK AND RIDE LOT WILL BE DONE BY PALM BEACH COUNTY RATHER THAN THE VILLAGE; PROVIDING AND EFFECTIVE DATE.**

Approval of Resolution R2009-03 which modifies the proposed Interlocal Agreement with Palm Beach County to reflect that the County will design and construct the Park and Ride lot to be located at the Village's two acre Wellington Green civic site.

**6. PRESENTATIONS AND PROCLAMATIONS – NONE**

## **7. PUBLIC HEARINGS**

### **A. ORDINANCE 2009-02 REGARDING TRAFFIC SAFETY AND RED LIGHT ENFORCEMENT**

Village Council approval of Ordinance 2009-02 regarding Traffic Safety and establishing a Red Light and Enforcement Program within the Village of Wellington.

### **B. RESOLUTION R2008-110 (PALOMINO DEVELOPMENT ORDER AMENDMENT)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, APPROVING THE DEVELOPMENT ORDER AMENDMENT FOR PETITION NUMBER 2003-024 DOA 1, ALSO KNOWN AS PALOMINO EXECUTIVE PARK; FOR THE 12.15 ACRE PROPERTY LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY 4,000 FEET NORTH OF LAKE WORTH ROAD, AS DESCRIBED MORE PARTICULARLY HEREIN, TO MODIFY THE PREVIOUSLY APPROVED MASTER PLAN TO REMOVE THE 50% (55, 000 SQUARE FEET) LIMITATION OF MEDICAL OFFICE AND ALLOW ALL 110,000 SQUARE FEET AS PROFESSIONAL MEDICAL OFFICE WITHIN THREE BUILDINGS KNOWN AS PALOMINO EXECUTIVE PARK; AND PROVIDING AN EFFECTIVE DATE.**

The petitioner is requesting a development order amendment to modify the previously approved master plan to remove the 50% (55,000 square feet) limitation of medical office and allow all 110,000 square feet as professional medical office within three buildings and known as Palomino Executive Park.

### **C. ORDINANCE 2009-01 (NOISE STANDARDS)**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, RELATING TO NOISE STANDARDS; AMENDING THE CODE OF ORDINANCES OF THE VILLAGE OF WELLINGTON, FLORIDA BY AMENDING CHAPTER 36, "OFFENSES AND MISCELLANEOUS PROVISIONS", ARTICLE III, "NOISE STANDARDS"; SEC. 36-32, "EXEMPTIONS" TO INCLUDE USE OF EQUIPMENT ASSOCIATED WITH NORMAL MAINTENANCE OF A GOLF COURSE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

The request is to provide a specific exemption from noise standards relating to use of landscaping equipment at golf courses prior to 7:00 a.m. Current code limit use of such equipment beginning at 7:00 a.m., Monday through Saturday, and beginning at 9:00 a.m. on Sunday.

**D. RESOLUTION R2009-02 (GRAND PRIX FARMS VACATION /ABANDONMENT)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, TO VACATE, ABANDON, DISCONTINUE AND CLOSE 5.18 ACRES OF A PORTION OF THE FUTURE LAKE WORTH ROAD EXTENSION RIGHT-OF-WAY FROM SOUTH ROAD WEST TO THE ACME IMPROVEMENT DISTRICT C-2 CANAL LOCATED 1.25 MILES WEST OF THE INTERSECTION OF LAKE WORTH ROAD AND SOUTH SHORE BOULEVARD, AND PROVIDING AN EFFECTIVE DATE.**

Michael F. Sexton, of Sexton Engineering, Inc., on behalf of Far Niente Stables VI, LLC, is seeking approval to abandon, vacate and close 5.18 acres portion of the Future Lake Worth Road Extension Right-of-Way from South Road west to the Acme Improvement District C-2 Canal.

**8. REGULAR AGENDA**

**A. ADOPTION OF FY 2008/2009 CAPITAL IMPROVEMENT PLAN (CIP)**

Approval of the fiscal year 2008/2009 Capital Improvement Plan including fiscal year 2007/2008 carry forward project budget reallocations.

**B. ORDINANCE 2009-03 CHANGES TO CHAPTER 18 OF THE VILLAGE OF WELLINGTON CODE OF ORDINANCES**

Staff proposes to replace Chapter 18 of the Village of Wellington Code of Ordinances in it's entirety. Approval of the Amendments to the Florida Building Code (FBC) 2007 Chapter 1 Administration" to maintain statutory compliance – Under state law the Village is required to re-adopt and re-submit local administrative amendments to Florida Building Code (FBC) Chapter 1 during the current adoption cycle.

**C. DISCUSSION OF THE VILLAGE COUNCIL FOR THE PURPOSE OF THE POSSIBLE NOMINATION OF A COUNCILMEMBER TO THE FLORIDA LEAGUE OF CITIES, INC. FLORIDA MUNICIPAL INSURANCE TRUST BOARD OF TRUSTEES**

To discuss the possible nomination of a Village Councilmember to the Florida Municipal Insurance Trust (FMIT) Board of Trustees.

**D. APPOINTMENT TO FILL THE VACANCY ON VILLAGE COUNCIL CREATED BY COUNCILMEMBER MARGOLIS'S RESIGNATION**

Council discussion and direction on the appointment to the vacant council seat.

- 9. ATTORNEY'S REPORT**
- 10. MANAGER'S REPORT & UPDATES**
- 11. COUNCIL REPORTS**
- 12. CLOSING COMMENTS**
- 13. PUBLIC FORUM**
- 14. ADJOURNMENT**

**NOTICE**

If a person decides to appeal any decision made by the Village Council with respect to any matter considered at this meeting, you will need a record of the proceedings, and you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (The above notice is required by State Law. Anyone desiring a verbatim transcript shall have the responsibility, at his own cost, to arrange for the transcript).

Pursuant to the provision of the Americans With Disabilities Act: any person requiring special accommodations to participate in these meetings, because of a disability or physical impairment, should contact the Village Manager's Office (561) 791-4000 at least five calendar days prior to the Hearing.